

REMARKS

Claim 27 was pending and under consideration in the above-identified application.

Claims 1-26 were cancelled in a previous amendment and remain cancelled.

In the Office Action of March 31, 2008, claim 27 was rejected.

With this Amendment, claim 27 is amended and remains at issue.

I. Claim Objections

Claim 27 was objected to for various informalities.

With this amendment, claim 27 is amended to overcome the objection taking into account the Examiner's suggestions. No new matter was added in the making of these amendments.

Accordingly, Applicant respectfully requests the withdrawal of this objection.

II. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claim 27 was rejected under 35 U.S.C. § 103(a) as being obvious in view of *Akimoto et al.* (U.S. Pat. No. 4,809,075) and *Arakawa*. (U.S. Patent No. 6,031,571). Applicants respectfully traverse this rejection.

As amended, claim 27 now recites the reset gate of a depletion mode transistor being a transverse overflow barrier effective to dump excess charge to the power supply.

As the Examiner admits in the Office Action of October 24, 2008, *Akimoto* fails to disclose that the reset element is a depletion mode transistor and that the reset gate of the depletion mode transistor is a transverse overflow barrier. See, Office Action of October 24, 2008 at Page 4.

Nowhere does *Arakawa* disclose a depletion mode transistor being a transverse overflow barrier to dump excess charge to the power supply. Instead, *Arakawa* discloses a reset drain

diffusion layer and a reset gate electrode which constitute a depletion-type transistor where a voltage dividing circuit is located in series with a reset drain and a ground terminal. See U.S. Patent No. 6,031,571, Col. 2 l. 1-17.

As Applicant's specification teaches, by providing the reset gate of a depletion mode transistor being a transverse overflow barrier effective to dump excess charge to the power supply, any excess charge in the photodiode is dumped to the power supply, thereby eliminating excess charge in the photodiode. See, U.S. Pat. Pub. No. 2004/0080644 Para[0083].

Therefore, because *Akimoto*, *Arikawa* and any combination of them fail to disclose or even fairly suggest every feature of claim 27, the rejection cannot stand.

III. Conclusion

In view of the above amendments and remarks, Applicants submit that all claims are clearly allowable over the cited prior art, and respectfully request early and favorable notification to that effect.

Respectfully submitted,

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